

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OJORE MULUMBA AJAMU,

Plaintiff,

vs.

DOUGULAS COUNTY, NEBRASKA, CITY
OF OMAHA, NEBRASKA, The; STATE OF
NEBRASKA, The; DOUGULAS COUNTY
DISTRICT COURT, The; DOUGULAS
COUNTY CORRECTIONAL CENTER, The;
NEBRASKA MEDICINE HOSPITAL, in
Omaha; and OMAHA POLICE
DEPARTMENT, The;

Defendants.

8:22CV347

MEMORANDUM AND ORDER

This matter is before the Court on its own motion regarding a Complaint for Violation of Civil Rights which Plaintiff sought to have filed in Case No. 4:21-cv-3080. [Filing No. 1](#). The Court hereby notifies Plaintiff that it has characterized his Complaint as a new case as the case cited by Plaintiff in his Complaint was dismissed on July 21, 2021, and is closed. See Case No. 4:21-cv-3080, [Filing No. 13](#).

If Plaintiff wishes to proceed with his Complaint under this new case number then Plaintiff has the choice of either submitting the \$402.00 filing and administrative fees to

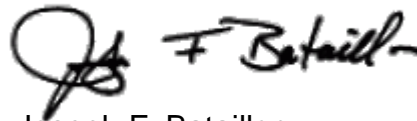
the Clerk's Office or submitting a request to proceed in forma pauperis.¹ In the alternative, if Plaintiff does not wish to proceed with a new case, Plaintiff may move to voluntarily withdraw his Complaint within 30 days, in which case this matter will be dismissed.

IT IS THEREFORE ORDERED that:

1. Within 30 days Plaintiff is directed to either: a) Submit the \$402.00 fees to the Clerk's Office or submit a request to proceed in forma pauperis if he wishes to proceed with this new case; or b) File a motion to voluntarily withdraw his Complaint if he does not wish to proceed. Failure to take either action within 30 days will result in dismissal of this matter without further notice.
2. The Clerk of the Court is directed to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").
3. The Clerk of the Court is directed to set a pro se case management deadline in this matter with the following text: **November 4, 2022**: Check for MIFP, payment, or motion to withdraw.

Dated this 5th day of October, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", written over a horizontal line.

Joseph F. Bataillon
Senior United States District Judge

¹If Plaintiff is granted leave to proceed in forma pauperis ("IFP") in this matter, he will be allowed to pay the Court's \$350 filing fee in installments. See 28 U.S.C. § 1915(b)(1); *In re Tyler*, 110 F.3d 528, 529-30 (8th Cir. 1997). He would not be subject to the \$52.00 administrative fee assessed to non-IFP plaintiffs.